

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.¹

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

In re:

THE FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

as representative of

PUERTO RICO HIGHWAYS & TRANSPORTATION
AUTHORITY,

Debtor.

PROMESA
Title III

No. 17 BK 3567-LTS

**ORDER GRANTING MOTION TO SEAL FOR LIMITED DURATION AND
FOR SUPPLEMENTAL BRIEFING**

This matter is before the Court on the *Motion of Ambac Assurance Corporation, Assured Guaranty Corp., National Public Finance Guarantee Corporation, Financial Guaranty Insurance Company, the Bank of New York Mellon, and U.S. Bank Trust National Association to File Documents Related to Lift Stay Motions Under Seal* (Dkt. No. 13016 in 17-BK-3283 and Dkt. No. 784 in 17-BK-3567) (the “Motion to Seal”). Therein, Movants² seeks to file under seal certain materials, including briefs, declarations and an expert report, in connection with their Lift Stay

² Capitalized terms not defined herein shall have the meanings given to them in the Motion to Seal.

Motions that contain information produced by the Government Parties and designated “Confidential” pursuant to the Protective Order governing discovery in the Lift Stay Motion proceeding. (Dkt. No. 12912 in 17-BK-3283; Dkt. No. 771 in 17-BK-3567). Specifically, Movants seek to file under seal Docket Numbers 12996, 13000, 13001, 13002, 13005, 13008, and 13010 in Case Number 17-BK-3283, Docket Numbers 778 and 781 in Case Number 17-BK-3567, and the *Declaration of William J. Natbony in Support of Reply in Support of Motion of Assured Guaranty Corp., Assured Guaranty Municipal Corp., Ambac Assurance Corporation, National Public Finance Guarantee Corporation, and Financial Guaranty Insurance Company for Relief from the Automatic Stay, or, in the Alternative, Adequate Protection* and its accompanying exhibits, a redacted public version of which was filed as Dkt. No. 13004 in Case No. 17-BK-3283-LTS and Dkt. No. 780 in Case No. 17-BK-3567-LTS (together, the “Confidential Filings”).

Movants represent that they “take no position on whether the information designated by the Government Parties is in fact confidential or whether it should remain under seal.” (Motion to Seal ¶ 5).

Movants’ Motion to Seal does not include sufficient information to justify continued sealing of the Confidential Filings. Thus, the Court will only permit the Confidential Filings to be filed under seal for a limited duration, during which time the Government Parties may submit briefing to the Court explaining why continued sealing is appropriate. Accordingly:

1. Movants are entitled to file the full, unredacted versions of the Sealed Filings under seal.¹
2. The Clerk of Court shall allow access to the unredacted Confidential Filings to those

¹ Movants do not need to re-file any documents that have already been filed under seal.

parties who have signed the Protective Order (Dkt. No. 12912 in 17-BK-3283; Dkt. No. 771 in 17-BK-3567).

3. The Government Parties shall file with the Court a short brief justifying the continued sealing of the Confidential Filings by **May 18, 2020**.
4. The Court will thereafter take any requests for continued sealing on submission.
5. This Order is without prejudice to the rights of any party in interest to seek to unseal the documents or any part thereof.

SO ORDERED.

Dated: May 4, 2020

/s/ Judith G. Dein
HONORABLE JUDITH GAIL DEIN
UNITED STATES MAGISTRATE JUDGE